



PATENT  
002905.0110

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: **Jay E. Widman**

Serial No.: **09/904,747**

Filed: **July 13, 2001**

Title: **Apparatus and Method For Sealing  
A Conduit**

§ Group Art Unit: **2831**  
§  
§ Examiner: **Angel R. Estrada**  
§  
§ Attorney Docket No: **002905.0110**  
§  
§

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed December 15, 2003, finally rejecting claims 1-20.

Check #877990 in the amount of \$165.00 for filing the Notice of Appeal, at the small entity rate, is enclosed. Should the check be insufficient or omitted, or should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this document, or should an overpayment be included herein, the Commissioner is hereby authorized to deduct the fee from Baker Botts L.L.P. Deposit Account No. 02-0383, Order No. 002905.0110.

02/20/2004 SZENDIE1 00000113 09904747

01 FC:2401

165.00 OP

HOU02:974363

Express Mail No.: EV 339229543 US

Kindly date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,



Paul R. Morico

Reg. No. 35,960

Baker Botts L.L.P.

910 Louisiana

Houston, Texas 77002

Telephone: (713) 229-1732

Facsimile: (713) 229-7732

Date: February 13, 2004

ATTORNEY FOR APPLICANT

CERTIFICATE OF MAILING VIA EXPRESS MAIL

Pursuant to 37 C.F.R. § 1.10, I hereby certify that I have information and a reasonable basis for belief that this correspondence will be deposited as Express Mail Post Office to Addressee with the United States Postal Service in an envelope addressed to:


Honorable Commissioner for Patents

Mail Stop AF

P.O. Box 1450

Alexandria, VA 22313-1450

on February 13, 2004.

 02.13.2004  
JULIE CLEMENTS

February 13, 2004

EV 339229543 US

Express Mail No.: EV 339229543 US

02-17-04

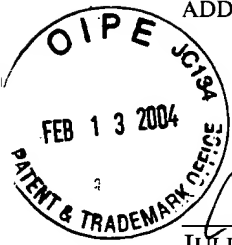
Image

AF \$

CERTIFICATE OF MAILING VIA EXPRESS MAIL

PURSUANT TO 37 C.F.R. § 1.10, I HEREBY CERTIFY THAT I HAVE INFORMATION AND A REASONABLE BASIS FOR BELIEF THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE," ON THE DATE INDICATED BELOW, AND IS ADDRESSED TO:

MAIL STOP AF  
HONORABLE COMMISSIONER FOR PATENTS  
P. O. BOX 1450  
ALEXANDRIA, VA 22313-1450



  
JULIE CLEMENTS

02.13.2004  
DATE

02/13/2004  
DATE OF MAILING

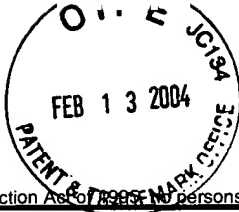
EV339229543US  
EXPRESS MAIL LABEL

U.S.S.N.: 09/904,747  
FILING DATE: JULY 13, 2001  
APPLICANT: WIDMAN  
GROUP ART UNIT: 2831  
EXAMINER: ESTRADA, ANGEL R.  
ATTORNEY DOCKET NO. 002905.0110  
TITLE: "APPARATUS AND METHOD FOR SEALING A CONDUIT"

INCLUDED IN THIS MAILING FOR THE ABOVE-REFERENCED CONTINUATION PATENT APPLICATION ARE:

1. NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES;
2. FEE TRANSMITTAL FORM, WITH DUPLICATE COPY FOR FEE PROCESSING (PTO/SB/17);
3. CHECK #877990 IN THE AMOUNT OF \$165.00 FOR THE APPEAL FEE, SMALL ENTITY RATE;
4. RETURN POSTCARD TO ACKNOWLEDGE RECEIPT OF ABOVE ITEMS.

ATTORNEY CONTACT: PAUL R. MORICO  
REG. NO. 35,960  
BAKER BOTTS L.L.P.  
TELEPHONE: 713.229.1732  
FACSIMILE: 713.229.7732  
EMAIL: PAUL.MORICO@BAKERBOTTS.COM  
PTO ID NUMBER: **023640**



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 165.00

## Complete if Known

Application Number	09/904,747
Filing Date	07.13.2001
First Named Inventor	WIDMAN
Examiner Name	ESTRADA, ANGEL R.
Art Unit	2831
Attorney Docket No.	002905.0110

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 02-0383  
Deposit Account Name: BAKER BOTTS L.L.P. 023640

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$ ) 0.00	

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	=
Independent Claims	-3** =	X	=
Multiple Dependent			=

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	165.00
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 165.00

## SUBMITTED BY

Name (Print/Type)	PAUL R. MORISO	Registration No. (Attorney/Agent)	35,960	Telephone	713.229.1732
Signature		Date	02.13.2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.